

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00129

CORY CHAFIN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 17, 2013, the United States of America appeared by C. Haley Bunn, Assistant United States Attorney, and the defendant, Cory Chafin, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Troy A. Lanham. The defendant commenced a 30-month term of supervised release in this action on July 26, 2013, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on April 1, 2013.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed synthetic marijuana as evidenced by the probation officer's discovery of such in plain view during a home inspection on July 30, 2013, and the defendant's admission on July 31, 2013, that he had used and possessed synthetic marijuana, as well as the defendant's admission on November 13, 2013, to the probation officer that he had used and possessed synthetic marijuana three times with the most recent use having occurred on or about November 11, 2013; (2) the defendant used and possessed marijuana as evidenced by a positive urine specimen submitted by him on November 18, 2013; and (3) the defendant failed to abide by the special condition that he spend six months at Dismas Charities inasmuch as he began placement on August 12, 2013, and was terminated on November 13, 2013, for failing to follow the rules and regulations of the facility; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

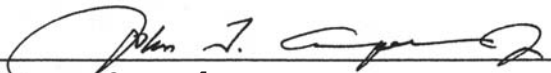
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of six (6) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he

make himself available for drug abuse counseling and treatment as the probation officer shall direct.

The defendant shall surrender for service of the sentence to the institution designated by the Bureau of Prisons by 2:00 p.m. on February 14, 2014, and shall remain subject to the terms and conditions of the bond executed by him on December 17, 2013, along with the same terms and conditions applicable to supervised release and the special condition that he comply with the probation officers direction with respect to drug abuse counseling and treatment.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 13, 2014



John T. Copenhaver, Jr.
United States District Judge